

REMARKS

This Amendment is being filed in response to the Final Office Action mailed on August 25, 2008 which has been reviewed and carefully considered.

Claims 1-2, 4-6 and 8-15 remain in this application, where claims 3, 7 and 16-17 have been canceled without prejudice. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications. Claims 1, 5-6 and 8-9 are independent.

By means of the present amendment, claim 3 has been canceled without prejudice and its features included in independent claims 1, 5-6 and 8-9. Accordingly, no new issues requiring a new search have been introduced and entry of the present Amendment is respectfully requested.

In the Final Office Action, the Examiner objected to claims 10-17 for a misspelling. In response, claims 10-15 have been amended in accordance with the Examiner suggestion and claims 16-17 have been canceled without prejudice. Accordingly, withdrawal of

the objection to claims 10-17 and entry of the present amendment are respectfully requested.

In the Final Office Action, claims 1-9 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by WO 01/90860 (Schwartz). It is respectfully submitted that claims 1-2, 4-6 and 8-15 are patentable over Schwartz for at least the following reasons.

Schwartz is directed to a method for authenticating that a specified pre-recorded media (e.g., CD) is inserted into a drive. On page 4, last paragraph of the Final Office Action, page 5, lines 20-25 and the claims are cited to allegedly show the features of claim 3, namely, "blacklisting the device if the remote unit receives a number of requests higher than a predetermined threshold from said device containing a non-authenticated memory medium."

It is respectfully submitted that page 5, lines 20-25 and the claims of Schwartz do not disclose or suggest anything related to blacklisting a device, let alone doing so if the remote unit receives a number of requests higher than a predetermined threshold from this device containing a non-authenticated memory medium, as recited in independent claims 1 and 5-9. Rather, Schwartz merely

discloses that an error message is produced if there no match between the unique identifier of the medium/CD and the identifier in a verification script.

Providing an error message simply does not disclose or suggest blacklisting a device. Even assuming, arguendo, blacklisting a device is somehow suggested by providing an error message, there is still no disclosure or suggestion in Schwartz of blacklisting a device if the remote unit receives a number of requests higher than a predetermined threshold from the device.

Accordingly, it is respectfully requested that independent claims 1 and 5-9 be allowed. In addition, it is respectfully submitted that claims 3-4 and 10-17 should also be allowed at least based on their dependence from independent claims 1 and 5-7 as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to

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submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101